

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: NAGAIKE et al.

APPLICATION NO.: NOT YET ASSIGNED

FILING DATE: CONCURRENTLY HEREWITH

FOR: RECOMBINANT VARICELLA-ZOSTER VIRUS

EXAMINER: UNASSIGNED

ART UNIT: UNASSIGNED

CONF. NO. UNASSIGNED

Declaration Under 37 CFR §1.821

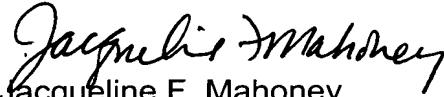
Mail Stop PCT
Attn: DO/EO/US
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Jacqueline F. Mahoney, declare and affirm as follows:

1. I am an attorney/agent for the applicant.
2. The TWO CD-ROMs, labeled "59150-8037 Sequence Listing Copy 1" and "59150-8037 Sequence Listing Copy 2" which accompany this Declaration, contain the required sequence listing.
3. The Sequence Listings contained on each of the CD-ROMs listed in 2 above are identical to each other.
4. The present submission contains no new matter relative to the application as originally filed.

Respectfully submitted,
Perkins Coie LLP


Jacqueline F. Mahoney
Registration No. 48,390

Date: Sept. 5, 2006

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